

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAND		JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR							OTHER	YR.			NUMBER	
1085/4	75	-197	05	16	75	4	190	1	12		400		8509	P	75	0197-B	

PLAINTIFFS

NEW DIMENSION LEASING CO., INC.
A Corporation

DEFENDANTS

CAPITAL MARKETING CORPORATION,
A Corporation,
FORD MOTOR CREDIT COMPANY,
A Corporation, and
ANTHONY FASANELLA,
An Individual

CAUSE

T. 28, U.S. 1332
Breach of Contract to pay money and for fraud in inducing plaintiff to enter
into contract.

ATTORNEYS

Benjamin P. Abney
Chapel, Wilkinson, Riggs & Abney
1640 South Boston Avenue
Tulsa, Oklahoma 74119
(918-587-3161)

all debts
SAM P. DANIEL, JR. (Ford Motor
DALLAS E. FERGUSON Credit Co.)
1200 Atlas Life Bldg.
Tulsa, Okla. 74103

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED

JS-5 6-1-75

JS-6 2-1-76

DATE	NR.	PROCEEDINGS
5-16-75	1.	Complaint filed and Summons issued. v
5-16-75	2.	Appl. to appoint special officer to serve summons in this action and Order, appointing Randall L. Skinner as special officer, filed. (AEB-J) jj
5-30-75		US Marshal's Service returned and filed. Executed by serving summons Ford Motor Credit Company by serving The Corporation Company, 735 First National Building, Oklahoma City, Oklahoma 73102 by Marshal in Oklahoma City, fees \$4.00., filed. mm
5-30-75		US Marshal's Service returned and filed. Executed by serving summons on Capital Marketing Corporation, 2975 Treat Blvd., Concord, California 94518 by Marshal in California, fees of \$11.20. mm
5-30-75		US Marshal's Service returned and filed. Executed by serving summons on Anthony Fasanella, 2975 Treat Blvd., Concord, California 94518 by Marshal in California, fees of \$11.20. mm
6-6-75	3.	Application for Extension of Time, filed. mm of 15 days
6-6-75	4.	Order Granting Extension of time/ from 6-6-75 in which to file evidence & a brief in support of the Motion to Dismiss Complaint granted. (JCS) mm
6-6-75	5.	Motion/ to Dismiss Complaint for Lack of Jurisdiction over the Person and insufficiency of service of process, filed. mm <i>cc bringing in brief</i>
6-9-75	6.	APPLI. of deft Ford Motor Co. for ext. of time, filed. lm
6-9-75	7.	ORDER granting deft. Ford Motor Credit Co. ext of time to 6-24-75 filed. (JCS-Clk) lm cps mld.
6-19-75	8.	DEMAND FOR JURY TRIAL, filed by Pltf. b
6-23-75	9.	Affidavits of Anthony Fasanella in support of mot. to dismiss complaint for lack of jurisdiction and insufficiency of service, filed. g
6-23-75	10	Brief in support of defts' motion to dismiss for lack of jurisdiction and insufficiency of service, filed. g
6-23-75	MO	Plaintiff directed to file responsive brief to mot. to dismiss within 10 days. (AEB-J) g
6-24-75	11.	Deft. Ford Motor Credit Co Application for Extension of Time, filed. mm
6-25-75	12	Defts. Capital Mktg. Corp & Fasanella's appl. for oral argument on motion to dismiss, filed. k
6-26-75	13	Order, filed, granting deft. Ford Motor Credit Co. time to ans. until the Court has ruled on mot. to dismiss of Capital Mkt. & Fasanella. (AEB-J) k cps mld
7-1-75	14.	Application for Extension of Time filed by the Pltf, New Dimension Leasing Co., Inc. mm Of 15 days
7-1-75	15.	Order granting an extension of time/ from 7-3-75, filed. (JCS-Clk) cps mld mm
7-14-75	16	Suppl. Affidavit in Support of Mtn. to Dismiss Compl. for lack of Jurisdiction over the person and insufficiency of service of process filed. jj

JUDGE BARROW

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-197 PAGE 3 XX 2nd XX XX sheet
New Dimension Leasing Co., Inc.		Capital Marketing Corporation, et al.	
DATE	NR.	PROCEEDINGS	
7-18-75	17.	Reply brief of Pltff. in response to brief re Defts.' Mot. to Dismiss, filed w/affidavits of Jack James and George Forbes attached. v	
8-25-75	MO	Case referred to Mag. Bradford for F&R re pending mots. (AEB-J)k	
10-2-75		Deposition of <u>William F. Styler</u> taken on behalf of the defts. on 8-26-75 before Evelyn E. Rutherford, CSR W/fees of \$51.00 pd by the Defts, filed. mm	
10-2-75		Deposition of <u>George Forbes</u> taken on behalf of the defts. on 8-26-75 before Evelyn E. Rutherford, CSR W/fees of \$178.50 pd by the Defts, filed. mm	
10-2-75		Deposition of <u>Stephen J. Jatras</u> taken on behalf of the defts. on 8-26-75 before Evelyn E. Rutherford, CSR W/fees of \$151.50 pd by the Defts, filed. mm	
10-2-75		Deposition of <u>J. B. Bailey</u> taken on behalf of the defts. on 8-27-75 before Evelyn E. Rutherford, CSR W/fees of \$94.50 pd by the Defts, filed. mm	
11-10		Deposition of <u>Anthony Fasanella</u> , taken on behalf of pltf on 8-27-75 before Evelyn E. Rutherford and Glen R. Dorrough (CSRs) \$196.50.lm	
11-10		Deposition of <u>Austin R. Gibbons</u> taken on behalf of pltf. on 8-27-75 before Evelyn E. Ruthrford (CSR). \$48.00.lm	
11-17	18.	Suppl. Brief in Support of Mtn. to Dismiss Compl., filed by defts. Capital Marketing Corp. and Anthony Fasanella.jj	
11-20	MO:	Case set for hearing before Mag. Bradford on motion of Defts' Capital Mkt. Corp. & Fasanella to dismiss the compl. for lack of jurisdiction over the Person & insuff. of service of process, on 12-9-75, 2:30 P.M.(MLB:Mag)b	
11-19		Case called for hearing on motion of Defts Capital Mkt. & Fasanella Hearing passed to next docket on request of counsel.(MLB-Mag)b	
11-26	19	Pltf's suppmatl. reply brief, filed. tc	
12-4		Deposition of Jack Sidney James, filed. ph (\$166.50 pd by defts)	
12-9	--	Case called for hrg. on mots of Defts. Capital Mkt. Corp. & Fasanella to dismiss the compl. for lack of jurisdiction over the person & insufficiency of service of process and Deft.'s mot. for oral argument on mot. to dismiss. Parties present. <u>Defts.' mots. are sustained.</u> Deft. to prepare formal order & F/R w/in 5 days.(MLB-Mag)v	
12-16	20	Findings and Recommendations of the Magistrate, filed, that the return of all summons served on defts. Capital Mkt. Corp and Anthony Fasanella in connection w/ this case be quashed and the Compl. be dismissed as to said defts. & defts. be granted recovery of costs. (MLB-Mag)k cps mld	
1976 1-6	21	Ordered that Mot. to Dismiss Compl., for Lack of Jurisdiction over the Person and Insufficiency of Service of Process filed herein on behalf of Defts, Capital Marketing Corp., & <u>Anthony Fasanella</u> be and same is hereby granted, & said defts be granted recovery of their costs herein, <u>filed and entered</u> ,(AEB-J)tc cps. mld.	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE <u>4</u> OF _____ PAGES
DATE	NR.	PROCEEDINGS	
1-7	22	Bill of Costs set for hearing January 20th, 1976 at 11:00 a.m., filed. tc	
1-13	23	Dismissal of Pltf., without prejudice against Ford, filed. tc O-J	
1-16	24	Order dismissing case as to Ford Motor Credit Company without prejudice, filed & entered. (AEB-J)g cpies mld.	
1-26		Bill of costs filed and taxed in the amount of \$300.00. (JCS-CC)t	